

**Part IV – The Schedule**

**Section M**

**Evaluation Factors for Award**

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**M.1 EVALUATION OF PROPOSALS**

- (a) This acquisition will be conducted pursuant to the policies and procedures in Federal Acquisition Regulation (FAR) Part 15 and Department of Energy Acquisition Regulation (DEAR) Part 915. DOE has established a Source Evaluation Board (SEB) to evaluate the proposals submitted for this acquisition.
- (b) The instructions set forth in Section L of this Request for Proposal (RFP) are designed to provide guidance to the Offeror concerning the documentation that will be evaluated by the SEB. The Offeror must furnish specific information in its response to adequately address the evaluation criteria. cursory responses that merely repeat or reformulate the Performance Work Statement are not acceptable.
- (c) A proposal will be eliminated from further consideration before the evaluation if the proposal is so grossly and obviously deficient as to be totally unacceptable on its face. For example, a proposal will be deemed unacceptable if it does not represent a reasonable effort to address itself to the essential requirements of the RFP, or if it clearly demonstrates the Offeror does not understand the requirements of the RFP. In the event that a proposal is rejected, a proposal will not be considered for further evaluation under this solicitation.
- (d) A proposal deficient in any evaluation factor will not be selected for award.
- (e) Prior to an award, a determination shall be made whether any possible Organizational Conflict of Interest (OCI) exists with respect to the apparent successful Offeror or whether there is little or no likelihood that such conflict exists. In making this determination, DOE will consider the representation required by Section K of this solicitation. An award will be made if there is no OCI or if any potential OCI can be appropriately avoided or mitigated.
- (f) If a competitive range is established pursuant to FAR 15.306(c), Offerors are hereby advised that only the most highly rated proposals deemed to have a reasonable chance for award of a contract will be included in the competitive range. Offerors who are not included in the competitive range will be promptly notified.

- (g) For the purpose of evaluating information on an Offeror's relevant experience and relevant past performance, an Offeror shall be defined as those companies that have established business arrangements or relationships for this solicitation, including subcontractors that will perform major or critical aspects of the Performance Work Statement. If the Offeror is a newly formed entity, such as a joint venture or LLC, the Offeror's relevant past performance and relevant experience will be evaluated based on the relevant past performance and relevant experience of the parent entity and/or members of the joint venture or LLC. DOE may contact some or all of the references provided by the Offeror, and may solicit past performance information from other available sources.
- (h) The Government intends to evaluate proposals and award a contract without discussions with Offerors (except clarifications as described in FAR 15.306(a)). Therefore, the Offeror's initial proposal should contain the Offeror's best terms for both a technical and cost standpoint. The Government reserves the right to seek information clarifying any element of an Offer prior to award without discussions. The Government reserves the right to conduct discussions if the Contracting Officer later determines them to be necessary.
- (i) Any exceptions or deviations to the terms of the solicitation may make the Offer unacceptable for award. By making exceptions or deviations to the terms of the solicitation, the Offeror could have its proposal considered "non-responsive". If an Offeror proposes exceptions to the terms and conditions of the contract, the Government may make an award without discussions to another Offeror that did not take exception to the terms and conditions of the solicitation.
- (j) Federal Law prohibits the award of the contract under a national security program to a company owned by an entity controlled by a foreign government unless the Secretary of Energy grants a waiver. In making this determination, the Government will consider the certification required by Section K, Attachment A – Foreign Ownership, Control, or Influence (FOCI).

## **M.2 BASIS OF CONTRACT AWARD**

- (a) DOE intends to award one contract to the responsible Offeror whose proposal is responsive to the solicitation and determined to be the best value to the Government. Selection will be achieved

through a process of evaluating the strengths and weaknesses of each Offeror's proposal against the evaluation criteria described below.

In determining best value to the government, the Technical Evaluation Criteria are significantly more important, when combined, than the evaluated price. Evaluated price is the Government-determined most probable cost plus the maximum proposed Award Fee for the Base Period and Option Period(s). The Government is more concerned with obtaining a superior technical proposal than making an award at the lowest evaluated price. Thus, the closer or more similar in merit that the Offerors' technical proposals are evaluated to be, the more likely the evaluated price may be the determining factor in selection for award. However, the Government will not make an award at a price premium it considers disproportionate to the benefits associated with the evaluated superiority of one technical proposal over another. Evaluated price will not be adjectively rated. In determining the best value, the Government will assess whether the strengths and weaknesses between or among competing technical proposals indicate a superiority from the standpoint of:

- (1) what the difference might mean in terms of anticipated performance; and
  - (2) what the evaluated cost and fee to the Government would be to take advantage of the difference. The Government will not make an award at a price premium it considers disproportionate to the benefits associated with the evaluated superiority of one technical proposal over another.
- (b) It is DOE's intent to award the contract to the offeror whose proposal represents the best value to the Government.

### **M.3 OVERALL RELATIVE IMPORTANCE OF TECHNICAL EVALUATION CRITERIA**

- (a) The proposals will be evaluated using information submitted by the Offerors on the four criterion listed below.
- (1) Technical Approach
  - (2) Key Personnel
  - (3) Relevant Experience
  - (4) Relevant Past Performance

- (b) Within this descending order of importance Technical approach is more important than key personnel. Key Personnel is more important than Relevant Experience. Relevant Experience is more important than Past Performance.

#### **M.4 TECHNICAL EVALUATION CRITERIA**

- (a) The technical proposal will be adjectivally rated and evaluated in accordance with the following criteria:

- (1) Criterion 1: Technical Approach

- i. The Offeror's Technical Approach will be evaluated by considering:
  - 1. The Offeror's understanding of and ability to perform the requirements of the Performance Work Statement.
  - 2. The Offeror's approach to maintaining quality laboratory results, improving laboratory operations, reducing turn-around time on analyses, enhancing the objectives of the Hanford Site and reducing costs.
  - 3. The Offeror's approach to managing the variability in workload.
  - 4. The Offeror's understanding and approach to the following activities:
    - a. Implementing laboratory customer requirements
    - b. Managing interfaces with Hanford-wide programs
    - c. Providing integrated safety management, quality assurance and quality control
    - d. Handling contract transition

- (2) Criterion 2: Key Personnel

- i. DOE will evaluate the key personnel proposed by the Offeror for the positions of Laboratory Manager and any other key personnel positions as designated by the Offeror in the following areas:
  - 1. The relevancy of their education, leadership, relevant experience, suitability to the proposed position, and experience on work similar to that described in the

Performance Work Statement based on resume reviews.

2. How his/her work experience relates to 222-S Laboratory issues and capability to function effectively in his/her proposed position.
- ii. DOE will evaluate the designation of key positions relative to the approach to the management and execution of project work proposed by the Offeror.
- iii. Failure to submit commitment signatures and the resume format identified in the attachment to Section L shall result in the Offeror receiving a lower rating for this factor.

(3) Criterion 3: Relevant Experience

- i. DOE will evaluate each Offeror for its experience in performing relevant work similar in size, scope and complexity to that described in the Performance Work Statement.

DOE will evaluate the experience of the Offeror and each of its major subcontractors (greater than \$650,000 annually at any tier) with respect to the type of work proposed and commensurate with the portion of the overall work being performed by each entity. If the Offeror is a newly formed entity, the experience of the parent organizations or LLC members will be evaluated with respect to the type of work proposed and commensurate with the portion of the work to be performed by each entity.

(4) Criterion 4: Past Performance

- i. The Offeror's and its major subcontractors' past performance will be evaluated on the basis of information furnished by its customers and other sources on relevant contracts (including current contracts) that are similar in size, scope and complexity to the work described in the Performance Work Statement.
- ii. The Government will consider in its evaluation the relevance and similarity of the Offeror's past performance information, the Offeror's written discussion of past performance problems, and the corrective actions taken to resolve those problems.

- iii. The Government will consider past performance information in areas of environment, safety and health (ES&H).
- iv. The Government will also evaluate past performance in achieving small disadvantaged business goals.
- v. If the Offeror is a newly formed entity, the experience of the parent organizations or LLC members will be evaluated with respect to the type of work proposed commensurate with the portion of the work being performed by each entity.
- vi. The Past Performance Reference Information Form, ES&H Past Performance Form, and Past Performance Questionnaire identified in Section L will be used to collect this information. DOE may evaluate past performance on less than the total number of contracts if all the completed questionnaires are not returned.
- vii. DOE may solicit relevant past performance information from available sources, including references and clients identified by the Offeror, and will consider such information in its evaluation. References other than those identified by the Offeror may be contacted and be considered by the Government regarding the evaluation of the Offeror's relevant past performance. DOE will check Federal Government electronic databases for relevant past performance information. DOE may check readily available Government records including pertinent DOE prime contracts, or from commercial references for relevant past performance information. DOE will review all information submitted, may contact some or all of the contract references provided by the Offeror, and may contact references other than those identified by the Offeror.
- viii. Offerors without a record of relevant past performance on contracts that are similar in size, scope and complexity, or for those with no available past performance, will be evaluated neither favorably nor unfavorably on past performance.

#### **M.5 COST AND FEE EVALUATION CRITERION**

- (a) DOE will evaluate each offeror's proposed cost for realism, reasonableness and completeness. The evaluation of cost realism includes an analysis of specific elements of each offeror's proposed cost to determine whether the proposed estimated cost

elements are realistic for the work to be performed; reflect a clear understanding of the requirements; and are consistent with the methods of performance and materials described in the offeror's technical proposal. The evaluation of cost reasonableness includes those considerations described in FAR subpart 31.2 and consistency with the anticipated funding profile in Section L, Table L.1. A price analysis will be performed to verify that the overall price offered is fair and reasonable in accordance with FAR 14.404-1(b) and DOE Acquisition Guide Chapter 15.4.

- (b) DOE will evaluate each Offeror's proposed award based fee. The following may be used when evaluating the fee:
  - (1) Offeror effort required to accomplish the contract work.
  - (2) Offeror's willingness to assume risk as represented by the proportion of proposed award fee to estimated cost.
- (c) Based on its review, DOE will determine a most probable cost to the Government to use for the evaluated cost. The most probable cost and proposed award fee will be combined to arrive at price for evaluation purposes. In determining the best value to the Government, DOE will compare the evaluated price to the anticipated funding availability as set forth in Section L, Table L.1, for both the total anticipated contract funding and the anticipated funding by fiscal year. Since the funding is subject to change based on actual appropriation and actual award date of the contract, DOE may make an award at an evaluated price that differs from the anticipated funding profile provided in Section L, Table L.1. However, an offeror whose evaluated price is significantly above the funding profile either on an annual or total basis may be determined ineligible for award.
- (d) The Offeror has the responsibility to fully document its cost proposal and provide clear traceability to the Offeror's technical proposal. As part of its cost realism analysis, DOE may adjust the proposed price if there are inconsistencies between the technical and cost proposal to make the Offeror's cost proposal consistent with the Offeror's technical proposal as well as any other instances where the proposed prices are not reasonable or realistic.

#### **M.6 FAR 52.217-5 EVALUATION OF OPTIONS (JULY 1990)**

Except when it is determined in accordance with FAR 17.206(b) not to be in the Government's best interests, the Government will evaluate offers for award purposes by adding the total price for all options to the total price for the basic requirement. Evaluation of options will not obligate the Government to exercise the option(s).